

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 238.1 Front Yard setback of 8' instead of required 30', Rear Yard 50', 238.2 Side Yard setback of 0' instead of required 30', Rear Yard 50', 238.2 setback of 18' instead of required 30' and to allow an amendment to the site plans in Case Nos. 69-82-XA and 70-192-X of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)
Wish to build a 3 stall service garage on the far end of my property. This the most advantageous position to place it, as to ingress & egress. Also as to parking

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____
(Type or Print Name)
Signature _____
Address _____
City and State _____
Attorney for Petitioner: _____
(Type or Print Name)
Address _____
City and State _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted _____
Name _____
Address _____
City and State _____
Phone No. _____

ORDERED By The Zoning Commissioner of Baltimore County, this 18th day of December, 1984, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 31st day of January, 1985, at 10:15 o'clock A.M.

Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Date: January 17, 1985
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition No. 85-206-A

In view of the comments of the Division of Current Planning and Development's representative on the Zoning Plans Advisory Committee, this office cannot support the granting of this request.

Norman E. Gerber, Director

NEG:JGH:bjs

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
January 22, 1985

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204
cdo
Nicholas B. Commodari
Chairman

Mr. and Mrs. Gaylord E. Lander
7907 Pulaski Highway
Baltimore, Maryland 21237

RE: Item No. 31, Case No. 85-206-A
Gaylord E. Lander, et ux
Petition for Variance

Dear Mr. and Mrs. Lander:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

In view of your proposal to amend the site plans from the two previous hearings (Case Nos. 69-82-XA and 70-192-X), which granted the existing living quarters in a commercial building and the used car sales area, by constructing a "service garage", this variance hearing is required.

After a number of discussions, the site plan was revised to satisfy the concerns of the Office of Current Planning and the Department of Traffic Engineering, this petition was scheduled for a hearing. However, any other changes that may be required should be done at the building permit stage if the petition is granted. In addition, a landscape plan, as required, must also be provided.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:ech

cc: Maryland Surveying and Engineering Co., Inc.
1701 N. Calvert Street
Baltimore, MD 21202

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

August 31, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #31 (1984-1985)
Property Owner: Gaylord E. Lander, et ux
N/S Shirley Ave. 396.12' E. Rosedale Ave.
Acres: 0.371
District: 15th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

As no public facilities are involved, this office has no comment.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holding downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Very truly yours,

GILBERT S. BENSON, P.E., Asst. Chief
Bureau of Public Services

GSB:EAM:DBS:iss

Maryland Department of Transportation
State Highway Administration

William K. Hellmann
Secretary
Hal Kassoff
Administrator

Mr. A. Jablon

-2-

August 22, 1984

The existing entrances from the flowline of Pulaski Highway to the State Highway Administration Right of Way line must be overlaid as directed by the State Highway Administration Inspector.

All work within the State Right of Way must be through S.H.A. permit and it is requested the site plan be revised prior to a hearing date being set.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

CL:GW:maw

By: George Wittman

Attachment

cc: Mr. J. Ogle

85-206-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 18th day of December, 1984.

ARNOLD JABLON
Zoning Commissioner

Petitioner Gaylord E. Lander, et ux
Petitioner's Attorney

Received by: Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

Mr. A. Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Attention: Mr. N. Commodari

August 22, 1984

Re: ZAC Meeting of 8-14-84
ITEM: #31.
Property Owner: Gaylord E. Lander, et ux
Location: N/S Shirley Ave. 396.12' E. Rosedale Avenue S/E Side Pulaski Highway, Route 40-E
Existing Zoning: B.R.-CS-1
Proposed Zoning: Variance to permit a front yard setback of 8' in lieu of the required 50', a side yard setback of 0' in lieu of the required 30' and a rear yard setback of 8' in lieu of the required 30'.
Acres: 0.371
District: 15th

Dear Mr. Jablon:

On review of the submittal of 5-28-84 and field inspection, the State Highway Administration will require the plan to be revised.

The revised plan must show reconstruction of the east entrance to be no greater than 35' in width (askew) with extension of the median island due to deteriorated curb and gutter conditions.

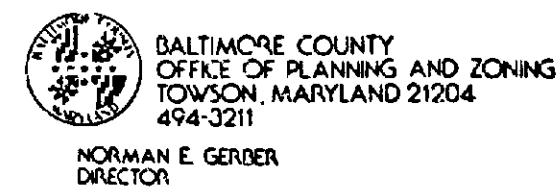
My telephone number is (301) 659-1350
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro — 565-0451 D.C. Metro — 1-800-452-5062 Statewide Toll Free
P.O. Box 717 707 North Calvert St., Baltimore, Maryland 21203-0717

BUREAU OF ENGINEERING - BALTIMORE COUNTY GO.

MAY 10 1985

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of _____, 19____, that the herein Petition for Variance(s) to permit



Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Zoning Advisory Meeting of 8-14-84
Item # 31
Property Owner: Gaylord E. Landers, et ux
Location: N/S Shirley Ave.
E of Rosedale Ave.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- (X) There are no site planning factors requiring comment.
- (X) A County Review Group Meeting is required.
- (X) A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- (X) A record plat will be required and must be recorded prior to issuance of a building permit.
- (X) The access is not satisfactory.
- (X) The circulation on this site is not satisfactory.
- (X) The parking arrangement is not satisfactory.
- (X) Parking calculations must be shown on the plan.
- (X) This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- () Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- (X) The amended Development Plan was approved by the Planning Board on _____.
- (X) Landscaping should be provided on this site and shown on the plan.
- (X) The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is _____.
- () The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- (X) Additional comments:

Landscaping plan required as per Landscape Manual
Standards. Parking for crab carry-out must be
relocated. Two spaces for apartment should be located
from Shirley Avenue - slow driveway.

Expense G. B. B.
Eugene A. Boser
Chief, Current Planning and Development

cc: James Hoswell



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

August 16, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 31 -ZAC- Meeting of August 14, 1984
Property Owner: Gaylord E. Landers, et ux
Location: N/S Shirley Avenue 396.12' E. Rosedale Avenue
Existing Zoning: B.R.-CS-1
Proposed Zoning: Variance to permit a front yard setback of 8' in lieu of the required 50', a side yard setback of 0' in lieu of the required 30' and a rear yard setback of 8' in lieu of the required 30'.

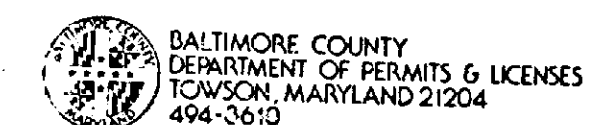
Acres: 0.371
District: 15th

Dear Mr. Jablon:

The site plan received by this department is indistinct and a new plan is requested.
The new plan must show the conditions that now exist on the site.

Michael S. Flanagan
Traffic Engineering Assoc. II

MSF/cdm



August 29, 1984

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 31 Zoning Advisory Committee Meeting are as follows:

Property Owner: Gaylord E. Landers, et ux
Location: N/S Shirley Avenue 396.12' E. Rosedale Avenue
Existing Zoning: B.R.-CS-1
Proposed Zoning: Variance to permit a front yard setback of 8' in lieu of the required 50', a side yard setback of 0' in lieu of the required 30' and a rear yard setback of 8' in lieu of the required 30'.

Acres: 0.371
District: 15th.

The items checked below are applicable:

- (X) All structures shall conform to the Baltimore County Building Code 1981/Council Bill 4-82 State of Maryland Code for the Handicapped and Aged; and other applicable Codes.
- (X) A building/other permit shall be required before beginning construction.
- (X) Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/are not required. Non-reproduced seals and signatures are required on Plans and Technical Data.
- (X) Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- (X) An exterior wall erected within 6'0" for Commercial uses or 3'0" for One and Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line, see Table 1401, line 2, Section 1407 and Table 1402, also Section 503.2.
- (X) Requested variance appears to conflict with the Baltimore County Building Code, Section/s _____.
- (X) A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- (X) Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 1401.
- (X) Comments - The crab carry-out shop shall be separated from the Body-Fender shop by a three hour masonry wall. Section 112.0 and Table 1102. The fender shop is classified as a S-1 Use; the crab shop as Use Group "M", Mercantile. The service garage shall comply with Table 309.1.

NOTE:

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,
Charles E. Burman
Charles E. Burman, Chief
Plans Review

CEB:es

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
SE/S of Pulaski Hwy., : OF BALTIMORE COUNTY
& N/S of Shirley Ave., 396' :
NE of Rosedale Ave. (7907 :
Pulaski Hwy.), 15th Dist. :
GAYLORD E. LANDERS, et ux, : Case No. 85-206-A
Petitioners

ENTRY OF APPEARANCE

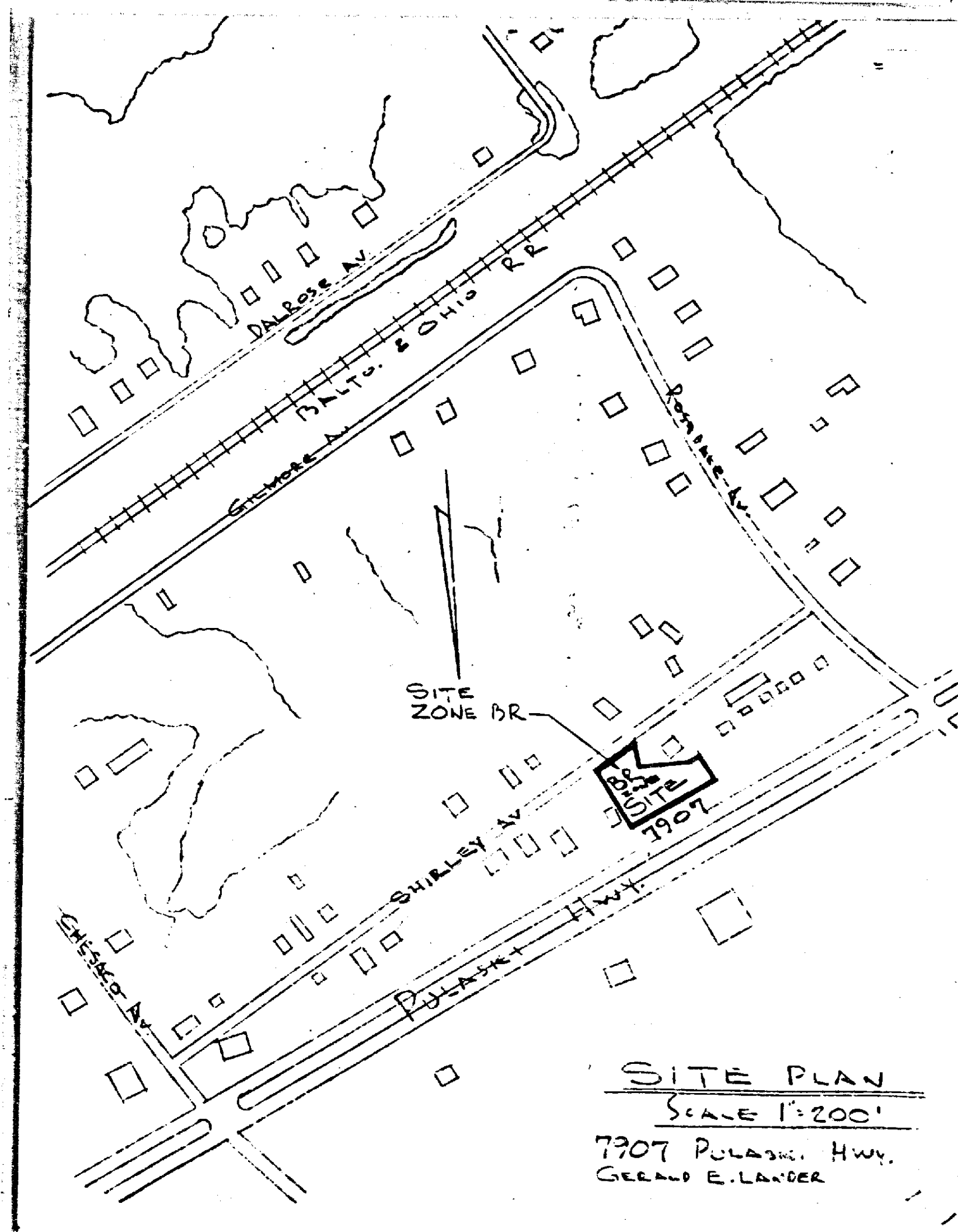
Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 2nd day of January, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Gaylord E. Landers, 7907 Pulaski Highway, Baltimore, MD 21237, Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman



SITE PLAN
SCALE 1"=200'
7907 PULASKI HWY.
GAYLORD E. LANDERS

December 20, 1984

Mr. and Mrs. Gaylord E. Landers
7907 Pulaski Highway
Baltimore, Maryland 21237

NOTICE OF HEARING

RE: Petition for Variances
SE/S Pulaski Hwy. & N/S Shirley
Avenue, 396' NE of Rosedale
Ave. (7907 Pulaski Hwy)
Gaylord E. Landers, et ux - Petitioners
Case No. 85-206-A

TIME: 10:15 a.m.

DATE: Thursday, January 31, 1985

PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 131960

DATE: 5-2-84 ACCOUNT: R-01-615-000

AMOUNT: 100.00

RECEIVED FROM: Gaylord E. Landers
FOR: Filing fee for item 31 Landers

6 022*****1000018 802AF

VALIDATION OR SIGNATURE: CASHIER

PETITION FOR VARIANCES 15th Election District

LOCATION: Southeast side of Pulaski Highway and North side
of Shirley Avenue, 396 feet Northeast of Rosedale
Avenue (7907 Pulaski Highway)

DATE AND TIME: Thursday, January 31, 1985 at 10:15 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and
Regulations of Baltimore County, will hold a public hearing:

Petition for Variances to permit a minimum front yard setback
of 8 feet instead of the required 50 feet, side yard setback
of 0 feet instead of the required 30 feet, rear yard setback
of 8 feet instead of the required 30 feet and to allow an
amendment to the site plans in Case Nos. 69-82-XA and 70-192-X.

Being the property of Gaylord E. Landers, et ux
as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within
the thirty (30) day appeal period. The Zoning Commissioner will, however, enter-
tain any request for a stay of the issuance of said permit during this period for
good cause shown. Such request must be received in writing by the date of the
hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

"DUPLICATE" CERTIFICATE OF PUBLICATION

Dundalk, MD. 1/11/85 1985
THIS IS TO CERTIFY, that the annexed advertisement
was published in THE BALTIMORE COUNTY JOURNAL, a
weekly newspaper, published in Dundalk, Baltimore County,
Maryland, appearing on 1/10, 1985

The Baltimore County Journal,

A. J. Lander
Publisher

LEGAL NOTICE

Notice for Petitioners
15th Election District
Location: Southeast side of Pulaski
Highway and North side of Shirley
Avenue, 396 feet Northeast of Rosedale
Avenue (7907 Pulaski Highway)
Date and Time: Thursday, January 31,
1985 at 10:15 a.m.
Public Hearing: Room 106, County
Office Building, 111 West Chesapeake
Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore
County, by authority of the Zoning
Act and Regulations of Baltimore
County, will hold a public hearing:
Petition for Variances to permit a
minimum front yard setback of 8 feet
instead of the required 50 feet, side
yard setback of 0 feet instead of the
required 30 feet, rear yard setback of
8 feet instead of the required 30 feet and
to allow an amendment to the site plans
in Case Nos. 69-82-XA and 70-192-X.
Being the property of Gaylord E.
Landers, et ux as shown on the plat filed
with the Zoning Office.
In the event that this Petition is
granted, a building permit may be issued within
the thirty (30) day appeal period. The Zoning
Commissioner will, however, entertain any
request for a stay of the issuance of said
permit during this period for good cause
shown. Such request must be received in
writing by the date of the hearing set above
or made at the hearing.
By Order Of
ARNOLD JABLON
Zoning Commissioner
of Baltimore County

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 1524 Date of Posting: 1/11/85
Posted for: Variance to permit a minimum front yard setback of 8 feet instead of the required 50 feet, side yard setback of 0 feet instead of the required 30 feet, rear yard setback of 8 feet instead of the required 30 feet and to allow an amendment to the site plans in Case Nos. 69-82-XA and 70-192-X.
Petitioner: Gaylord E. Landers, et ux
Location of property: SE/S Pulaski Hwy. & N/S Shirley Ave. - 396' NE of Rosedale Ave. - 7907 Pulaski Hwy. - 15th Election District
Location of Signs: (1) Facing Pulaski Hwy. - 396' NE of Rosedale Ave. - 7907 Pulaski Hwy. - 15th Election District
(2) Facing Shirley Ave. - 396' NE of Rosedale Ave. - 7907 Pulaski Hwy. - 15th Election District
Remarks: None
Posted by: M. J. Lander
Number of Signs: 2 Date of return: 1/18/85

CERTIFICATE OF PUBLICATION

TOWSON, MD. January 10, 1985
THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., appearing on
January 10, 1985.

THE JEFFERSONIAN,

18 Vintelli
Publisher

85-206-A

Cost of Advertising 22.00



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

January 21, 1985

Mr. and Mrs. Gaylord E. Landers
7907 Pulaski Highway
Baltimore, Maryland 21237

RE: Petition for Variances
SE/S Pulaski Highway & N/S Shirley
Ave., 396' NE of Rosedale Avenue
(7907 Pulaski Highway)
Gaylord E. Landers, et ux - Petitioners
Case No. 85-206-A

Dear Mr. and Mrs. Landers:

This is to advise you that \$53.25 is due for advertising and posting
of the above property.

This fee must be paid and our zoning sign and post returned on the day
of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and
remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building,
Towson, Maryland 21204, before the hearing.

Sincerely,

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 004343

DATE: 1-31-85 ACCOUNT: 01-615-000

AMOUNT: \$53.25

RECEIVED FROM: Gaylord E. Landers

FOR: Filing fee for item 31 Landers

6 022*****004343 802AF

VALIDATION OR SIGNATURE OF CASHIER

IN RE: PETITION ZONING VARIANCES AND
TO AMEND PREVIOUSLY APPROVED
SITE PLANS
SE/S of Pulaski Highway and
the N/S of Shirley Avenue,
396' NE of Rosedale Avenue
(7907 Pulaski Highway) - 15th
Election District
Gaylord E. Landers, et ux,
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 85-206-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request variances to permit a minimum front yard
setback of 8 feet instead of the required 50 feet, a side yard setback of zero
feet instead of the required 30 feet, and a rear yard setback of 8 feet instead
of the required 30 feet and, additionally, to amend the site plans approved in
Case Nos. 69-82-XA and 70-192-X, as more particularly described on Petitioners'
Exhibit 1.

The Petitioner, Gaylord E. Landers, appeared and testified. There were no
Protestants.

Testimony indicated that the subject property, zoned B.R., had previously
been a service station but was abandoned prior to the Petitioners purchasing it
in 1968. Subsequent thereto, Case No. 69-82-XA granted a special exception for
used car sales and a variance to permit a front yard setback of 20 feet instead
of the required 35 feet for used car displays and Case No. 70-192-X granted a
special exception for living quarters above the existing service station build-
ing where the Petitioners have resided since its conversion.

At the time of purchase, the concrete block building that had been utilized
as the service station was converted into a body and fender shop with an apart-
ment above. An 8' x 8' building was used to store old parts. Mr. Landers also

Maryland

Surveying and
Engineering Co., Inc.

1701 N. CALVERT STREET
Baltimore, Maryland 21202
Phone: M'Ullevy 5-0469 - 0470
REGISTERED
Maryland - New York
Pennsylvania - Delaware

ZONING DESCRIPTION
BL TO BR
7907 PULASKI HIGHWAY

Beginning for the same at a point situated on the North
Side of Shirley Avenue, said point being situated N 62° 41' 15" E,
396.12 feet from the East Side of Rosedale Avenue; thence leaving
the point of beginning and binding on the North Side of Shirley Avenue,
N 62° 41' 15" E, 75.00 feet; thence leaving the North Side of Shirley
Avenue and running N 27° 18' 45" W, 123.55 feet to intersect the
Southeast Right-of-Way Line of Pulaski Highway, 150 feet wide; thence
binding on the Southeast Side of Pulaski Highway, S 68° 00' 00" W,
175.75 feet; thence leaving the Southeast Side of Pulaski Highway and
running S 27° 18' 45" E, 55.95 feet; thence N 66° 57' 15" E, 23.32
feet; thence N 87° 58' 15" E, 84.86 feet; thence S 27° 18' 45" E, 45.50
feet to the place of beginning. Containing 0.371 Acres, more or less.



Signed This 19th day of August, 1984
J. Robert Conell

SCALE: 1" = 100' 1 inch
File No. 85-206-A

sold used cars. In 1982, he retired. He has found a prospective tenant who
would like to sell used cars from the site. To do so, Mr. Landers proposes to
construct a 40' x 28' three-bay service garage on the west property line, adja-
cent to a motel, which would also be utilized for an office. While the garage
is being built, a trailer will be located temporarily on the site for office use
for the used car operation, as shown on the site plan. The proposed service
garage requires the requested variances.

The property is small and unusually shaped. However, it is located on
Pulaski Highway and surrounded by commercial and industrial uses. There is no
question that the proposed use is permitted, and inasmuch as the adjacent and
surrounding properties are commercial and industrial, it would not be contradic-
tory to permit the variances. There is one residence adjacent to the site, but
the owners do not object to the proposed location of the service garage. There
are existing trees separating that residence from the site, and the Petitioners
will be required to satisfy all of the standards mandated by the Baltimore Coun-
ty Landscape Manual.

The Petitioners seek relief from Sections 238.1 and 2, pursuant to Section
307, and from Sections 500.7 and 9, Baltimore County Zoning Regulations (BCZR).

An area variance may be granted where strict application of the zoning
regulation would cause practical difficulty to the petitioner and his property.
McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area
variance, the petitioner must meet the following:

- whether strict compliance with requirement would unrea-
sonably prevent the use of the property for a permitted
purpose or render conformance unnecessarily burdensome;
- whether the grant would do substantial injustice to ap-
plicant as well as other property owners in the dis-
trict or whether a lesser relaxation than that applied
for would give substantial relief; and

ORDER RECEIVED FOR FILING
DATE: 1/31/85
BY: [Signature]

ADMINISTRATIVE ASSISTANT

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variances were not granted. It has been established that the requirement the Petitioners seek relief from here would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 5th day of February, 1985, that the Petition for Zoning Variances to permit a minimum front yard setback of 8 feet instead of the required 50 feet, a side yard setback of zero feet instead of the required 30 feet, and a rear yard setback of 8 feet instead of the required 30 feet and, additionally, the amendment to the site plans approved in Case Nos. 69-82-XA and 70-192-X be and are hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. Obtain approval from the County Review Group (CRG) or a waiver therefrom.
2. The trailer is permitted to be located temporarily on the property in conformance with the site plan submitted herein. Said trailer shall be utilized solely for

cc: Mr. and Mrs. Gaylord E. Lander

People's Counsel

office use for the used car operation. If final approval is not granted by the CRG, then the trailer shall be moved immediately and relocated elsewhere on the property but in conformity with the BCZR.

Zoning Commissioner of
Baltimore County

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

January 30, 1985

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

REVISÉD COMMENTS ITEM #31

Item No. 31 -ZAC- Meeting of August 14, 1984
Property Owner: Gaylord E. Landers, et ux
Location: N/S Shurley Avenue 396.12' E. Rosedale Avenue
Existing Zoning: R.R.-CS-1
Proposed Zoning: Variance to permit a front yard setback of 8' in
lieu of the required 50', a side yard setback of 0' in lieu of
the required 30' and a rear yard setback of 8' in lieu of the
required 30'.

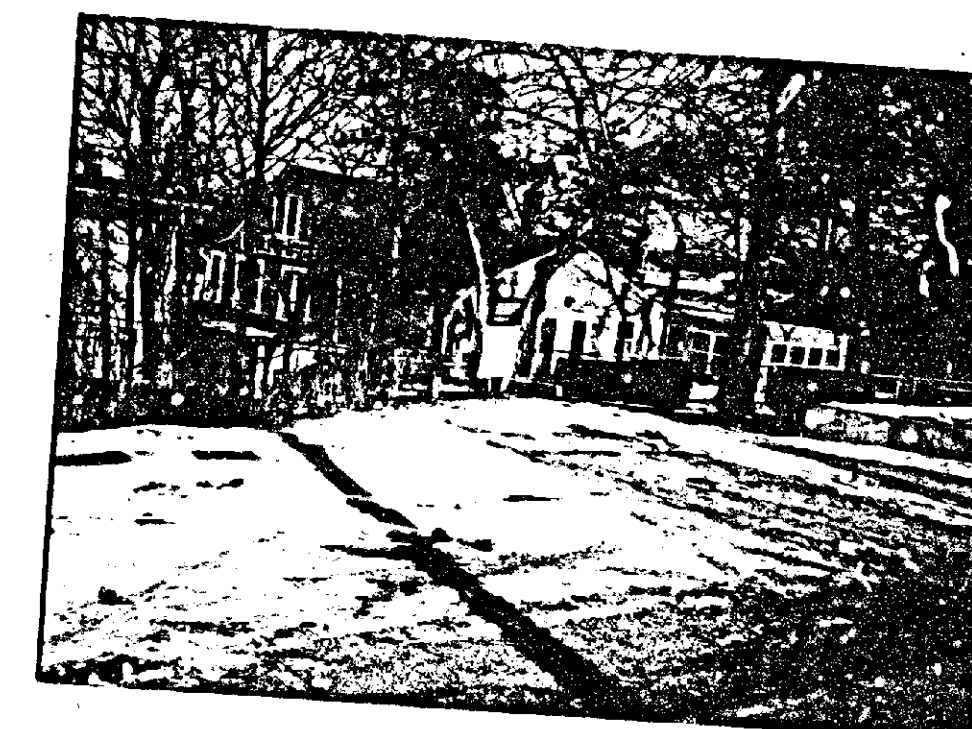
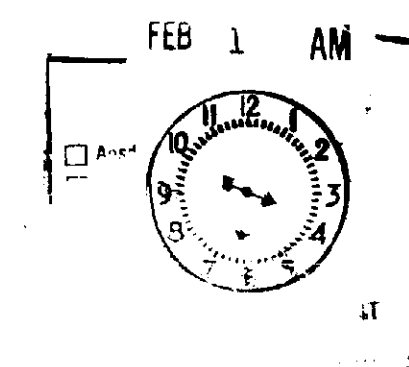
Acres: 0.371
District: 15th

Dear Mr. Jablon:

This site plan is difficult to review because the print received was poor and the plan itself does not explain how the site is being used.

on Pulaski Highway. This site should have only one point of access

Michael S. Flanigan
Traffic Engineering Assoc. II



ORDER RECEIVED FOR FILING

DATE- BY

ORDER RECEIVED FOR FILING

DATE 1/2

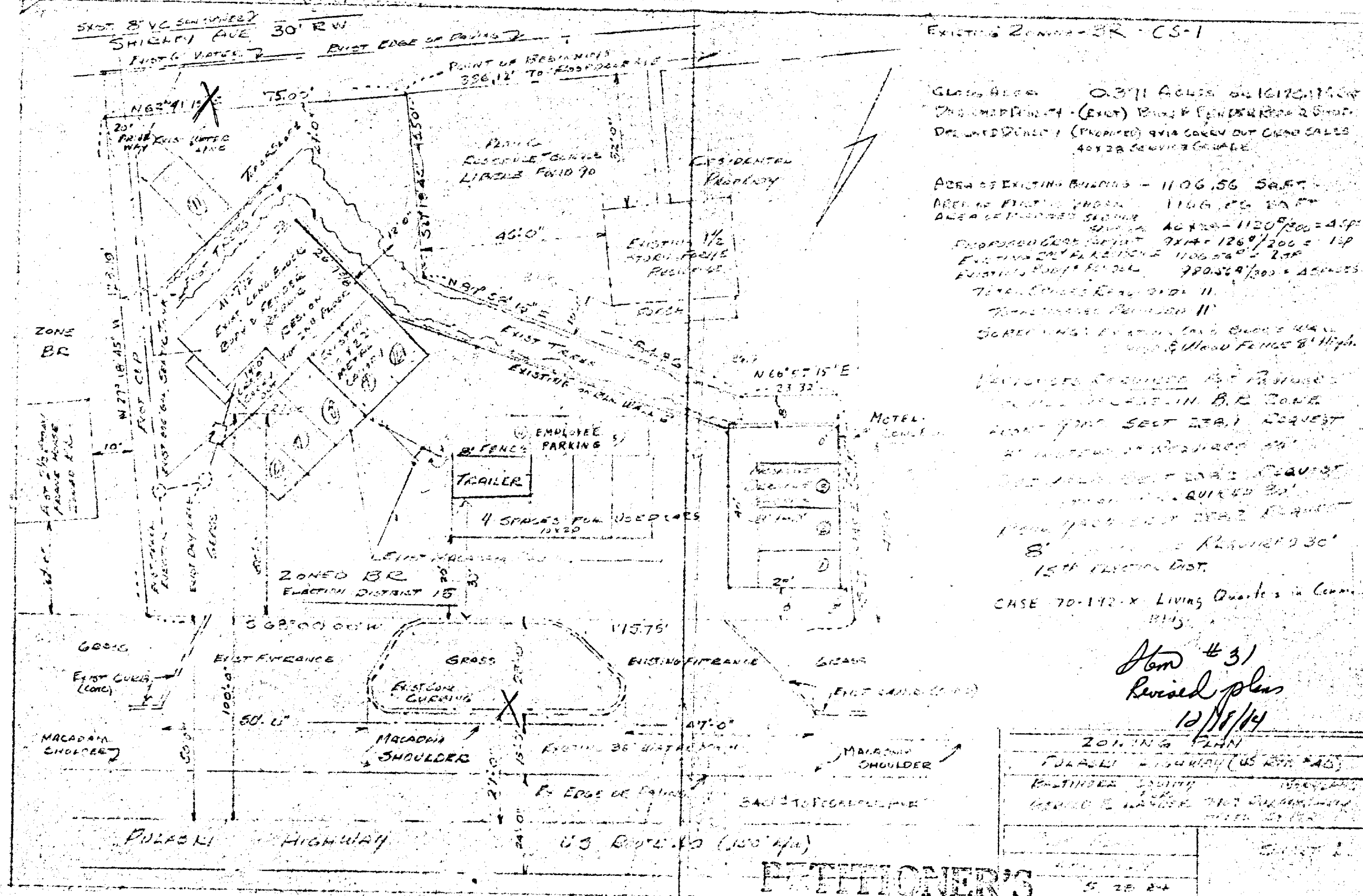
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Shirley A. Leary, Clerk
-ADMINISTRATIVE ASSISTANT

- 3 -

- 4 -

1/31 - 2016



PETITIONER'S
EXHIBIT /

BUREAU OF ENGINEERING - BALTIMORE COUNTY, MD.									
1000	111	222	333	444	555	666	777	888	999

MAY 10 1985